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BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

March 10, 2006

In the Matter of)	DOCKET NO. 2004-219-E
)	
Petition of Progress Energy Carolinas, Inc)	)	RESPONDENT BEATRICE
To Terminate Service	)	WEAVER'S MOTION TO
	)	CONTINUE DATE OF
	)	HEARING; EXTENSION
	)	OF TIME FOR FILING OF
	)	PLEADINGS; AFFIDAVIT
	)	OF BEATRICE WEAVER;
	)	EXHIBIT A; MEMORANDUM
	)	IN SUPPORT OF MOTION;
	)	NOTICE OF MOTION;
	)	CERTIFICATE OF SERVICE
)	

**RESPONDENT BEATRICE WEAVER'S MOTION TO CONTINUE DATE OF
HEARING AND FOR EXTENSION OF TIME FOR FILING PLEADINGS**

Comes now Respondent Pro Se Beatrice Weaver ("Respondent") and timely files this **Motion to Continue Date of Hearing and for Extension of Time for Filing of Pleadings**. This motion is filed for good cause pursuant to rules and regulations of the Public Service Commission of South Carolina ("Commission") **R. 103-842** for extension of time for filing pleadings; **R.103-862** for continuance of Hearing Date; **R. 103-854** for Other Discovery; **Rule 6 (b), (d), and (e)** and **Rule 7** and **specifically Rule 40 (i) (1) and (2)** of the South Carolina Rules of Civil Procedure (SCRPC).

The specific grounds for this motion are the provisions of **SCRCP Rule 40 (i)(1) and (2) for good cause and absence of material witnesses**, which includes Respondent on medical grounds, and her witnesses who will not be able to be present at the Hearing scheduled for April 13, 2006 for religious grounds on the Passover and Easter religious holidays. See, Respondent's separate pleading addressing the latter issue.

The Commission is respectfully requested to take judicial notice of further grounds for the instant motion as presented to the Commission in Respondent's previous

pleadings for continuance, by reference included herein. These include medical grounds (carcinoma and eye surgeries) as previously documented and filed with the Commission; Respondent's medical procedures during the months in April and May, 2006 as documented in Exhibit A hereto and made part hereof, as previously brought to the attention of the Commission, as stated in Respondent's Memorandum to the Commission dated January 6, 2006, and the attached Memorandum In Support of Motion.

Respondent respectfully submits to the Commission that under the circumstances that have unexpectedly developed these past several months, that this motion meets its test for granting continuance of the January 12, 2006 Hearing and discovery procedures under **"the most exigent circumstances"** as noted in its original Order granting continuance.. (See, last line, page 1.)

This motion is based on the grounds discussed above and in Respondent's pleadings filed previously with the Commission and referred to hereinabove, the records and files of this matter and the attached Memorandum In Support of the Motion. Respondent reserves the right to supplement said Affidavits and pleadings prior to the hearing or disposition of this motion.

Once again for the record, Respondent specifically denies any and all allegations submitted by the Petitioner's Mr. Len Anthony in his letter dated December 6, 2005 and subsequent letter dated January 9, 2006 both of which are designed to deliberately mislead and obfuscate the issues and confuse the Commission as to the real facts which the Commission has never investigated.

Respondent once again formally brings to the attention of the Commission for the record, that Mr. Anthony has refused Respondent's request to substantiate his claims by filing with the Commission, a notarized statement averring **under oath** that the allegations contained in the said two letters are true and correct facts, and that he has legal documentation to support his fatuous allegations. Instead, Mr. Anthony derisively dismissed the requests in a way that would be an insult to any self-respecting Commissioner interested in the proper conduct of its business. The Petitioner must either provide documentation or promptly withdraw its false claims. All parties of course are to be held liable and accountable for any and all actions on the basis of these spurious and fatuous mis-allegations of facts.

Accordingly, the Commission is hereby again given legal notice that Respondent intends to further prosecute this request to Mr. Anthony during discovery, and requires sufficient time to conduct due process, given Mr. Anthony's recalcitrance in responding to discovery under the Commission Rules and SCRCR. Due to Mr. Anthony's refusal to willingly co-operate and provide answers as requested, notice is hereby given that, inter alia, sanctions will be requested in due course.


These unco-operative actions by Petitioner are not only a violation of the rules, but are also wasteful of the Commission's and Respondent's time, and adverse to efficient management of the case and cause undue burden on Respondent and staff.

For just cause and good reason, pursuant to the Commission's rules and regulations, and SCRCR Rules cited hereinabove, and especially the mandatory requirement of SCRCR Rule 40 (i)(1) and (2), Respondent moves the Commission for an order continuing the Hearing and extending time for discovery, and to set a date and time certain at least sixty (60) days following the end of May 2006, until such time as Respondent will be physically able to complete discovery and attend the Hearing later this year of 2006, and commensurate extension of time for completion of discovery.

As matters now stand it is medically and physically impossible for Respondent to be present at any Hearing prior to the end of May 2006 and conduct discovery except on a random basis as conditions permit, on medical grounds, and continuance is in the interests of justice for Respondent. Further, Respondent is the only party suffering any hardship in this case; justified delays to meet the ends of justice create no burden on any party at interest in this case, except Respondent; certainly not the Petitioner, or the Commission.

Dated: Little Rock, Dillon County, S.C., March 10, 2006

Respectfully submitted


Beatrice Weaver
Respondent Pro Se



***The Public Service Commission
State of South Carolina***

Charles L.A. Terenzi
Chief Clerk/Administrator
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Phone: (803) 896-5100
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March 9, 2006

Ms. Beatrice Weaver
1253 Harlees Bridge Road
Dillon, South Carolina 29536

RE: Docket No. 2004-219-E - Petition of Progress Energy Carolinas, Inc. to Terminate Service

Dear Ms. Weaver:

The Commission is in receipt of your Motion to Reschedule Hearing dated February 28, 2006. However, the attachment referenced in your Motion regarding confirmation of your surgery at MUSC has not been received. Please forward this document as soon as possible to the Commission.

Thank you for your immediate attention to this matter.

Sincerely,

Handwritten signature of Jocelyn G. Boyd in cursive script.
Jocelyn G. Boyd
Deputy Clerk

cc: All Parties of Record

EXHIBIT "B"

**BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA**

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Petition of Progress Energy Carolinas, Inc))	NOTICE OF MOTION TO
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)	PLEADINGS
)	
)	

**NOTICE OF MOTION TO CONTINUE DATE OF HEARING AND FOR
EXTENSION OF TIME FOR FILING PLEADINGS**

**TO: Len S. Anthony, Esq
Deputy General Counsel
Progress Energy Service Co., LLC
P.O. Box 1551
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Counsel for Progress Energy**

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Office of Regulatory Staff of S.C.
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Columbia S.C. 29201

Gary Weaver, Respondent Pro Se
PO Box 7682, Florence SC 29502

NOTICE IS HEREBY GIVEN OF Respondent Pro Se Beatrice Weaver's timely
 and Motion to Confirm Date of Hearing, and for Extension of Time for Filing
 Pleadings, dated March 10, 2006, copy attached.

DATED: Little Rock, S. C. March 10, 2006

Beatrice Weaver, Respondent Page 5.